

## REMARKS

Prior to entry of this amendment, Claims 1-20 were pending in this application, with all claims standing rejected. No claims are canceled and Claim 21 is added. Hence, Claims 1-21 are presently pending in this application.

## SUMMARY OF OFFICE ACTION

Claims 3, 4, 6, 7, 16 and 17 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. The Office Action alleges that the meaning of “MIB” is unclear in the term “MIB Views”.

Claim 13 was rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. The Office Action alleges that the meaning of “‘find first’ function” is unclear.

Claims 1, 2, 9, 10, 14, 15, 19 and 20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider et al.* (“*Schneider*”; U.S. Pat. No. 6,785,728) in view of *Paulsen et al.* (“*Paulsen*”; U.S. Pat. No. 6,055,575); Claims 3 and 16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider* in view of *Paulsen*, in further view of RFC 2571, “An Architecture for Describing SNMP Management Frameworks”, written by D. Harrington (“*Harrington*”); Claims 4, 8, 11 and 17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider* in view of *Paulsen*, in further view of RFC 2575, “View-based Access Control Model for the Simple Network Management Protocol”, written by B. Wijnen (“*Wijnen*”); Claims 5, 12 and 18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over

*Schneider* in view of *Paulsen*, in further view of Luciani et al. (“*Luciani*”; U.S. Pat. No. 6,614,791); and Claims 6, 7 and 13 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider* in view of *Paulsen*, in further view of Kekic et al. (“*Kekic*”; U.S. Pat. No. 6,664,978).

Claims 6 and 7 were objected to because of typographical errors.

#### CLAIM OBJECTIONS

Claims 6 and 7 are amended to correct typographical errors, by replacing “.” with “.”.

#### REJECTIONS NOT BASED ON PRIOR ART

##### Rejections under 35 U.S.C. §112, second paragraph

Claims 3, 4, 6, 7, 16 and 17 were rejected based on the allegation that the meaning of “MIB” is unclear in the term “MIB Views”. “MIB” is a well-known acronym, in the field of network management, for “Management Information Base.” As described at page 15, lines 12 and 13, of the Specification, a “Management Information Base (MIB) is a collection of Managed Objects...”. Hence, one skilled in the art of network management certainly understands the meaning of the term “MIB” based on knowledge of tools used in the art and/or the Specification.

However, to eliminate any uncertainty as to the meaning of the acronym “MIB”, Claims 3, 4, 6, 7, 16 and 17 are amended to include the complete term to which “MIB” refers. That is, these claims are amended to include the term “Management Information

Base” to further describe the term “MIB”. The rejection of Claims 3, 4, 6, 7, 16 and 17 under 35 U.S.C. §112, second paragraph, is now moot.

Claim 13 was rejected based on the allegation that the meaning of “‘find first’ function” is unclear. Claim 13 is amended to remove the term “‘find first’ function”. The rejection of Claim 13 under 35 U.S.C. §112, second paragraph, is now moot.

## REJECTIONS BASED ON PRIOR ART

### Rejections under 35 U.S.C. §103(a)

#### (1) Claims 1, 2, 9, 10, 14, 15, 19 and 20

The Office Action rejected Claims 1, 2, 9, 10, 14, 15, 19 and 20 under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider* in view of *Paulsen*. This rejection is traversed.

The Office Action did not establish a *prima facie* case of obviousness with respect to Claims 1, 2, 9, 10, 14, 15, 19 and 20 because the cited references do not teach or suggest each and every feature recited in these claims, as discussed hereafter.

#### (A) The *Schneider* reference

The Office Action relies on part of a description of FIG. 1 in *Schneider* for the teaching of the feature “receiving a request to carry out a management protocol operation.” Reliance on the cited passage of *Schneider* for such a teaching is unfounded. FIG. 1, and the associated description, generally describes a virtual private network (VPN) between two network endpoints, i.e., a requestor and a server. The requestor and the server communicate over the VPN using “one of the standard TCP/IP protocols.”

The cited passage of *Schneider* teaches nothing about network management using a management protocol. Hence, *Schneider* could not possibly teach or suggest receiving a management protocol operation request. The mere reference to a VPN between a client and a server does not meet the standard required of a reference for teaching a feature of a patent claim and, therefore, does not meet the standard required for a *prima facie* obviousness rejection.

Further, the mention of the TCP/IP protocol does not refer to a management protocol. Network transmission protocols, such as TCP, and network management protocols, such as SNMP (Simple Network Management Protocol), are different and serve different purposes. Claim 1 specifically recites the use of a management protocol, not the use of a transmission protocol. Albeit, management protocols (e.g., SNMP) and other application layers typically operate on top of a transmission protocol (e.g., TCP/IP), but a mere reference to TCP/IP is not a teaching of “receiving a request to carry out a management protocol operation.”

The Office Action relies on a description of access policies and administrative policies, in *Schneider*, for the teaching of the feature “identifying, among a plurality of managed objects, a subset of objects that requests associated with the virtual private network are permitted to access.” The administrative policies are defined in terms of sets of administrative users and objects. However, *Schneider* does not describe access to “managed objects”, as the term is commonly used in the field of network management and described in the Specification.

For example, as described in the Specification at page 3, lines 20-22, information in an SNMP-enabled device is stored in the form of a plurality of Managed Objects that

are arranged in an object tree, and each object has one or more corresponding object instances. “Managed Objects” and “MIBs” are further described at page 15, lines 4-14, with the following example: a list of currently active TCP circuits in a particular host computer is a Managed Object, and a Management Information Base (MIB) is a collection of Managed Objects. Therefore, the term “managed objects” should be interpreted in the context of network management managed objects, such as Managed Objects associated with an SNMP-managed network device, for example, a network router.

(B) The Paulsen reference

The Office Action relies on a description of a method for establishing, and communicating data over, a VPN, in *Paulsen*, for the teaching of the feature “determining an identifier of a virtual private network in the request.” Reliance on the cited passage of *Paulsen* for such a teaching is unfounded. The cited passage of *Paulsen* describes what is a typical challenge/response communication associated with an authentication phase in establishing a virtual private network (VPN).

However, the cited passage of *Paulsen* teaches nothing about the use of a VPN identifier in a management protocol operation request. The mere reference to a VPN authentication phase between a client and a server does not meet the standard required of a reference for teaching a feature of a patent claim and, therefore, does not meet the standard required for a *prima facie* obviousness rejection.

Examination of patent claims requires that a claim be examined in its entirety, as a whole. It is well-settled law that “[i]t is impermissible to use the claimed invention as an instruction manual or ‘template’ to piece together the teachings of the prior art so that

the claimed invention is rendered obvious” and that “[o]ne cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.” *In re Fritch*, 972 F.2d 1260 (Fed. Cir. 1992), quoting *In re Fine*, 837 F.2d 1071, 1075 (Fed. Cir. 1988).

It appears that the Office Action is not examining Claim 1 as a whole, and uses the embodiment of Claim 1 as a template to piece together alleged teachings of the prior art to render Claim 1 obvious. When interpreted as a whole, Claim 1 recites, *inter alia*, a method in which a particular VPN is identified from a management protocol operation request so that a subset of managed objects, which requests associated with that particular VPN are permitted to access, can be identified. Consequently, access to managed objects on a network device can be controlled in a secure manner. This secure access is provided by limiting access to only the managed objects, on a device that may be participating in multiple VPNs, that are associated with the particular VPN.

As discussed, *Schneider* and *Paulsen*, independently or in combination, do not teach or suggest all of the features of the embodiment recited in Claim 1. Specifically, the cited references do not teach any use of a VPN identifier within a network management protocol operation request, for controlling access of network management requests. For at least the foregoing reasons, Claim 1 is patentable over the cited references of record.

Independent Claim 9 recites some features that are similar enough to Claim 1 that the arguments presented herein in reference to Claim 1 also apply to Claim 9. Generally, Claim 9 recites the use of a VPN identifier in a management protocol operation request. More specifically, Claim 9 recites use of a VPN identifier, embodied in a security name

value within a network management protocol operation request, for matching with an associated MIB view that corresponds with the operation, for managing the processing of such operations on managed objects in the MIB. The cited references do not teach any use of a VPN identifier within a network management protocol operation request.

Therefore, Claim 9 is patentable over the cited references.

Independent Claims 14, 19 and 20 recite similar features to those recited in Claim 1, in different valid claim formats. Hence, the arguments presented herein in reference to Claim 1 also apply to Claims 14, 19 and 20. Therefore, these claims are patentable over the cited references of record.

Dependent claims 2, 10 and 15 depend either directly or indirectly from Claims 1, 9 and 14, respectively. Therefore, these claims are patentable over *Schneider* and *Paulsen* for at least the same reasons as the claims from which these claims depend.

(2) Claims 3 and 16

Claims 3 and 16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider* in view of *Paulsen*, in further view of *Harrington*. This rejection is traversed.

Dependent Claims 3 and 16 depend from Claims 1 and 14, respectively. The Office Action again relies on *Schneider* and *Paulsen* for a teaching of the features of Claims 1 and 14. However, the cited references do not meet the standard for establishing a *prima facie* case of obviousness with respect to Claims 3 and 16 because the cited references do not teach or suggest each and every feature recited in these claims, as discussed herein primarily in reference to Claim 1. Furthermore, *Harrington* does not

cure the deficiencies in the teachings of *Schneider* and *Paulsen*. Therefore, Claims 3 and 16 are patentable over *Schneider*, *Paulsen*, and *Harrington* for at least the same reasons as the claims from which these claims depend.

In addition, Claims 3 and 16 recite additional features that are not taught or suggested in the cited references. For example, *Harrington* does not teach mapping VPN identifiers to views of subsets of managed objects by associating, in entries in a view-based access control model (VACM), SNMPv3 securityName values to corresponding MIB Views, as recited in Claims 3 and 16. Rather, the cited passage of *Harrington* merely and generally describes the use of securityName values to represent principals, on whose behalf SNMP services are provided or processing takes place. *Harrington* does not come close to describing the specific use of securityName values to identify a VPN, from which a subset of corresponding managed objects are identified, as in the embodiment recited in Claims 3 and 16 and summarized above.

(3) Claims 4, 8, 11 and 17

Claims 4, 8, 11 and 17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider* in view of *Paulsen*, in further view of *Wijnen*. This rejection is traversed.

Dependent Claims 4, 8, 11 and 17 depend directly or indirectly from Claims 1, 9 or 14. The Office Action again relies on *Schneider* and *Paulsen* for a teaching of the features of Claims 1, 9 and 14. However, the cited references do not meet the standard for establishing a *prima facie* case of obviousness with respect to Claims 4, 8, 11 and 17 because the cited references do not teach or suggest each and every feature recited in



these claims, as discussed herein primarily in reference to Claim 1. Furthermore, *Wijnen* does not cure the deficiencies in the teachings of *Schneider* and *Paulsen*. Therefore, Claims 4, 8, 11 and 17 are patentable over *Schneider*, *Paulsen*, and *Wijnen* for at least the same reasons as the claims from which these claims depend.

In addition, Claims 4, 8, 11 and 17 recite additional features that are not taught or suggested in the cited references. For example, *Wijnen* does not teach associating VPN identifiers with SNMPv3 securityName values, in entries in a view-based access control model (VACM) that associates securityName values to corresponding MIB Views, as recited in Claims 4 and 17. Rather, the cited passage of *Wijnen* generally describes the use of MIB Views in relation to access rights, and access policies in the context of the VACM. *Wijnen* does not describe the specific use of VACM and securityName values to identify a VPN, as in the embodiment recited in Claims 4 and 17 and summarized above.

(4) Claims 5, 12 and 18

Claims 5, 12 and 18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider* in view of *Paulsen*, in further view of *Luciani*. This rejection is traversed.

Dependent Claims 5, 12 and 18 depend directly or indirectly from Claims 1, 9 or 14, respectively. The Office Action again relies on *Schneider* and *Paulsen* for a teaching of the features of Claims 1, 9 and 14. However, the cited references do not meet the standard for establishing a *prima facie* case of obviousness with respect to Claims 5, 12 and 18 because the cited references do not teach or suggest each and every feature recited in these claims, as discussed herein primarily in reference to Claim 1. Furthermore,

*Luciani* does not cure the deficiencies in the teachings of *Schneider* and *Paulsen*.

Therefore, Claims 5, 12 and 18 are patentable over *Schneider*, *Paulsen*, and *Luciani* for at least the same reasons as the claims from which these claims depend.

In addition, Claims 5, 12 and 18 recite additional features that are not taught or suggested in the cited references. For example, *Luciani* does not teach identifying a MIB variable referenced in the request, and determining whether the management protocol operation of the request is allowed for the variable based on one or more views referenced in a mapping of VPNs to corresponding views of subsets of managed objects, as recited in Claims 5, 12 and 18. Rather, the cited passage of *Luciani* describes identifying a VPN from a packet, for adding/deleting a VPN from a MPOA/NHRP network.

(5) Claims 6, 7 and 13

Claims 6, 7 and 13 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Schneider* in view of *Paulsen*, in further view of *Kekic*. This rejection is traversed.

Dependent Claims 6, 7 and 13 depend directly or indirectly from Claims 1 or 9. The Office Action again relies on *Schneider* and *Paulsen* for a teaching of the features of Claims 1 and 9. However, the cited references do not meet the standard for establishing a *prima facie* case of obviousness with respect to Claims 6, 7 and 13 because the cited references do not teach or suggest each and every feature recited in these claims, as discussed herein primarily in reference to Claim 1. Furthermore, *Kekic* does not cure the deficiencies in the teachings of *Schneider* and *Paulsen*. Therefore, Claims 6, 7 and 13 are

patentable over *Schneider, Paulsen, and Kekic* for at least the same reasons as the claims from which these claims depend.

#### NEW CLAIM

New Claims 21 is added to claim an embodiment of the invention described in the application as filed. No new matter is introduced in the application by way of these new claims.

In view of the distinctions between the cited references and the original claims as presented above, the features recited in Claim 21 are not disclosed, suggested or motivated by the cited references. Hence, Claim 21 is patentable over the cited references of record.

#### CONCLUSION

For at least the reasons indicated above, Applicants submit that all of the pending claims (1-21) present patentable subject matter over the references of record, and are in condition for allowance. Therefore, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner has questions regarding this case, the Examiner is invited to contact Applicant's undersigned representative.

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To the extent necessary, a petition for an extension of time under 37 C.F.R.  
§1.136 is hereby made. Please charge any shortages in fees due in connection with the  
filing of this paper, including extension of time fees, or credit any overages to Deposit  
Account No. 50-1302.

Respectfully Submitted,

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